

~~Interview~~

Proposed Amendment

FAX #: 571-273-0839 Attention: Examiner Misook YuPractitioner's Docket No. U 013589-7PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter David DAVIS

Serial No.: 09/890,989

Group No.: 1614

Filed: December 14, 2001

Examiner.: Misook Yu

For: COMBINATION FOR THE TREATMENT OF DISEASES INVOLVING
ANGIOGENESISCommissioner of Patents and Trademarks
Washington, DC 20231NUMBER OF PAGES 5
(INCLUDING THIS PAGE)CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

PROPOSAL FOR INTERVIEW

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

☒ If any additional extension and/or fee is required, charge Account No. 12-0425.

AND/OR

☒ If any additional fee for claims is required, charge Account No. 12-0425.

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Date: January 21, 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Peter David DAVIS

Serial No.: 09/890,989

Group No.: 1614

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For: COMBINATION FOR THE TREATMENT OF DISEASES INVOLVING
ANGIOGENESIS

Attorney Docket No.: U 013589-7

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PROPOSAL FOR INTERVIEW

The courtesy of Examiner Misook Yu in arranging for an interview with the undersigned for January 25, 2005 at 10:00 am is noted with appreciation. Applicant proposes the following proposed amended claims for discussion at the interview:

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Claim 2 (currently amended) A pharmaceutical composition for the damage of the formation of new vasculature by angiogenesis comprising a combination of (a) a tubulin binding agent in an amount sufficient to cause damage to neovasculature, (b) an inhibitor of nitric oxide synthase in an amount sufficient to augment the effect of the tubulin binding agent and (c) a pharmaceutically acceptable excipient.

Claim 13 (currently amended) A method of treatment for a mammal having a disease involving active angiogenesis with the formation of new vasculature in the mammal, said method comprising administration to the mammal of a tubulin binding agent and an inhibitor of formation of nitric oxide, the tubulin binding agent being administered to the mammal in an amount effective to cause damage to the new vasculature, the inhibitor of formation of nitric oxide being administered to the mammal in an amount sufficient to augment the effect of the tubulin binding agent. 9/16